

BREEDEN NOW
AFTER LEWISBrings Action in Supreme Court
to "Oust" the Judge.

SAYS HE USURPS THE OFFICE

CHARACTERIZES APPOINTMENT
AS "PRETENDED" ACT.

Attorney General Breeden yesterday began proceedings in the supreme court seeking to force Judge Thomas D. Lewis to show by what authority he holds the position as fourth judge of the Third judicial district. The action is brought by him in behalf of the state.

After assuring the court that there is no doubt that he, the attorney general, was duly elected to his present position, and afterward qualified in accordance with the provisions of the statute, he proceeds to characterize the act of the legislature in passing the law under which Judge Lewis was appointed, and the appointment by Governor Wells, as "pretended" proceedings from beginning to end. Continuing, the complaint, which is respectfully submitted as quo warranto proceedings, although it does not so state, says:

"That on said 10th day of April, 1902, and from thence hitherto, the said Thomas D. Lewis has been, and now is, in the possession of said office of district judge in and for said judicial district, and claims to and does exercise the functions thereof, and claims the emoluments of said office, but this complaint avers and charges that the said Lewis usurps the said office and has no right or legal authority to exercise the functions thereof nor to perform the duties of said office or any of them, and that he has unlawfully intruded himself into said office and now unlawfully holds the same, and threatens to and will continue so to do unless ousted therefrom."

In conclusion the attorney general asks that Judge Lewis be "ousted" and assessed with the costs of the action.

District Court Notes.

Judge Hall yesterday granted Elizabeth Acomb a divorce from John J. Acomb on the grounds of desertion. They were married in Weber county, June 9, 1899. She was awarded the custody of their only child.

Joseph Warburton yesterday filed a petition in the district court asking for letters testamentary of the estate of Robert J. Johnson, who died April 11, 1903, leaving \$8,000 worth of realty and \$4,000 personal property.

IRISH LEADERS COMING.

Joseph Devlin and John F. Finerty will be here today.

Joseph Devlin, the noted Irish member of the British parliament, and John F. Finerty, an Irish leader of Chicago, will visit in Zion today. They will spend the day in the city at the Knutsford hotel, and arrangements are being made to have the representative Irish citizens of Salt Lake meet the visitors at the hotel this morning.

The two men are traveling through the United States trying to arouse an interest among the Irish people in the land reform movement now pending in parliament. The proposed reform is that the English government shall purchase the large estates from the landholders of Ireland and allow the peasants to take them for homes and give them their time in paying for the property. Messrs. Devlin and Finerty will travel through to the coast and will return here when, if it is possible, arrangements will be made for them to address the Irish people of the city.

Mr. Devlin is the youngest member of the house of commons, and is noted for his work in behalf of the reform movement. Mr. Finerty is an ex-congressman from Illinois and a newspaper writer of note.

FAIR WILL CASE.

New York, April 14.—When the hearing on the will of the late Charles I. Fair was resumed today the testimony of Lucien Mas, the Frenchman, was read to him so that he could sign it before returning to France, as required by law. The reading had not been finished when the hearing adjourned.

BLOOD HUMOURS

Skin Humours, Scalp Humours,
Hair Humours,Whether Simple Scrofulous or
HereditarySpeedily Cured by Cuticura
Soap, Ointment and Pills.Complete External and Internal
Treatment, One Dollar.

In the treatment of torturing, disfiguring, itching, scaly, crusty, pimply, blotchy and scrofulous humours of the skin, scalp and blood, with loss of hair, Cuticura Soap, Ointment and Pills have been wonderfully successful. Even the most obstinate of constitutional humours, such as head blood, scrofula, inherited and contagious humours, with loss of hair, granular swellings, ulcerous patches in the throat and mouth, sore eyes, copper-coloured blotches, as well as boils, carbuncles, scurvy, sties, ulcers and sores arising from an impure or impoverished condition of the blood, yield to the Cuticura Treatment, when all other remedies fail.

And greater still, if possible, is the wonderful record of cures of torturing, disfiguring humours among infants and children. The suffering which Cuticura Remedies have alleviated among the young, and the comfort they have afforded worn-out and worried parents, have led to their adoption in countless homes as priceless curatives for the skin and blood. Infantile and birth humours, milk crust, scalled head, eczema, rashes and every form of itching, scaly, pimply skin and scalp humours, with loss of hair, of infancy and childhood, are speedily, permanently and economically cured when all other remedies suitable for children, and even the best physicians, fail.

Sold throughout the world. Cuticura Remedies, Inc. (In care of Chamberlain Medicine Co., 150 N. 2nd St., St. Paul, Minn., U.S.A.)

YOUNG FUNERAL
ALL ARRANGEDServices at Tabernacle Begin at
1 O'Clock Sharp.

MARCH TO CEMETERY AT 3

LARGE ATTENDANCE EXPECTED
FROM OVER THE STATE.

The committees in charge of the arrangements for the funeral of the late Apostle Brigham Young completed their work yesterday afternoon. The services will be held at the tabernacle at 1 o'clock today. As special rates have been given by the railroads, it is expected that one of the largest crowds since the funeral of President Snow will be in attendance. A long cortege will follow the remains to their last resting place in the city cemetery. The tabernacle has been decorated in white and black for the occasion. A large portrait of the deceased apostle will occupy a prominent place in front of the organ.

The remains will be taken from the family residence, near Ninth East and Eleventh South streets, at 10:30 o'clock this morning and, accompanied by the immediate family, will enter the tabernacle grounds at the west gate and the tabernacle through the north door. The general public will be admitted to the grounds through the south and east gates only, and the tabernacle from the south aisle. Seats near the stand will be reserved for those in the procession.

Elaborate Music by the Choir. The music will be furnished by the tabernacle choir. The selections to be rendered will be: "Rest for the Weary Soul," "O My Father," "I Know That My Redeemer Liveth," with a solo by Mrs. Lizzie Thomas Edwards, and "When First the Glorious Light of Truth."

The speakers will probably be from the first presidency, the quorum of the apostles and other close friends of the deceased.

The services will close a few minutes before 3 o'clock. At that hour the procession will form and march to the city cemetery. The line of march will be south from west gate of temple grounds to South Temple, thence east to Main street, south to First South, east to Ninth East, and north to the cemetery.

Order of the Cortege.

The order of the procession will be as follows:

General R. T. Burton and staff.

Band.

Presidency, twelve apostles and patriarchs.

Hearse.

Flowers.

Family of deceased.

Family of President Brigham Young, sr.

First council of apostles.

President of bishopric.

Tabernacle choir.

Presidents of stakes and missions.

Presidents of Relief societies.

Mutual Improvement associations.

Other organizations.

Friends.

Announcement of Minor Details.

The committee on carriages will furnish vehicles for the wives of the late President Brigham Young, sr. Other relatives desiring to attend in their own carriages may do so by notifying the committee.

The committee on procession, and their aids, as appointed yesterday afternoon, are as follows: General R. T. Burton, Frank Y. Taylor, Nelson A. Empey, Major Richard W. Young, Elias A. Smith, William S. Burton, John Q. Cannon, George M. Cannon, W. M. Atwood, J. H. Woodruff, Alonzo Young, George Woolley, J. G. McDonald, C. S. Burton, Fred Clawson, B. R. Eldredge, W. C. Winder, C. B. Stewart, James H. Moyle, Spencer Clawson, E. Taylor, J. Grant, Willard R. Campbell, W. Williams, A. S. Campbell and David Smith.

The committee on seating announces that the bishops and their counselors will take seats on the north side of the stand. The presidents of stakes, high counselors and patriarchs will be seated on the south side.

HONOR DEAD HEROES

Decoration Day Services in Pub-
lic Schools on Friday,

April 24.

The Memorial day services in the public schools will be held the latter part of this month instead of at the end of May, owing to the necessity on the part of the board of education in closing the schools this year, before the expiration of the regular term. If the present arrangements are adhered to, the services will be held on Friday afternoon, April 24.

English and Spanish war veterans have selected speakers for each of the twenty schools in the city. Short addresses by the men who fought in two wars for the protection of the flag will form a part of the patriotic programmes which will be arranged in the different schools in commemoration of the day.

The G. A. R. committee on Memorial day exercises will meet Thursday evening, the 16th, at 7:30 o'clock, in the office of Colonel M. M. Kaighn. An invitation has been sent to the Utah Philippine Veterans' association, asking it to have its committee meet with the civil war men. Sunday afternoon the veterans of the late war will hold a special meeting in the council chamber at 3 o'clock for the purpose of arranging appropriate exercises for Decoration day. The notices were sent out yesterday by Secretary William Lewis.

The list of speakers and the schools which they will address on April 24 are as follows, the name of the school being given first, followed by the G. A. R. and Philippine orators in the order named:

West Side High school, H. G. Roling, W. D. Ritter.

Bryant High school, M. M. Kaighn, Bismarck Snyder.

Emerson, W. P. Rowe, J. J. Meyers.

Franklin, R. G. Steater, C. M. Evans.

Freemont, D. H. Twomey, E. A. Wedgwood.

Grant, J. M. Bowman, L. E. Kahn.

Hamilton, Dr. A. K. Smith, F. S. Martin and W. S. Shea.

Jackson, F. M. Bishop, T. B. Steater.

Lincoln, W. P. Burns, Fred Schmale and D. Archer.

Longfellow, Thomas Lockney and R. Alf. T. Holberg and H. E. Steater.

Lowell, F. H. Clark, W. E. Kneass.

Oquirrh, Colonel H. Logan and W. O. Gaby, William Edwards and Emil Johnson.

Riverside, J. C. Coad, W. I. Rowland and C. E. Dearing.

Sumner, Thomas Harris, E. H. Shea and L. Decker.

Training, N. D. Corser, C. J. Bywater and E. L. Thompson.

Union, J. N. Elliott, Murray King and C. G. Forslund.

Wasatch, Major M. A. Breeden, Dr. H. H. Smith.

Washington, F. Hoffman, A. L. Williams and R. Burton.

Weber, Colonel George B. Squires, Emil Lehmann.

Whittier, S. E. Allen, Elmer G. Thomas.

ELKINS LAW
GETS A SLAPLocal Agents Are Advised to Go
on With Wool Loading.

INTEREST IN FREIGHT RATES

TRANSCONTINENTAL PASSEN-
GER AGENTS TO MEET.

Some of the local traffic men have been keeping in touch with their heads of departments on the question of loading wool, for directions have been received by agents of the western lines to load the wool for the buyers, as before, and pay no attention to the Elkins law. It is expected that all the local offices will receive similar instructions, for the buyers seemed to worry several days ago and have been wearing the glad smile for some time.

Some of the buyers had taken the matter up with the heads of the traffic department themselves, and it is evident that they had assured the time to the wool would be instructed in the matter, although they have had nothing to say regarding the situation, excepting that they expected there would be a satisfactory solution of the problem without forcing heads to put men in the field to do the loading.

The attention of the buyers is now taken up by the question of the freight rates, and this may not be so easy to dispose of. The buyers are waiting for something, but just what they will not say. They are not buying very heavily, and a wool man said the other day that he expected to be in the local field several weeks, and that possibly he might return to the east without doing much business at this time. He said that what wool had been purchased will be routed by the water line. All the buyers seem to be resting on their oars, but it is safe to venture that some definite understanding will be reached in the matter before a great while.

RIO GRANDE CUT-OFF.

Expected That Early Start Will Be
Made at Layton.

One of the improvements expected to follow the visit of General Superintendent Olson to Ogden is the Rio Grande cut-off, which, it is understood, he looked upon with approval. The cut-off is to be completed in the next year and will be an important piece of work. The cut would save the line about three miles and give a fast road between here and the junction.

A great amount of steam shovel work will have to be done and a number of cuts and grades will have to be taken out between Farmington and Ogden. The work has been long contemplated, but it has been put off for some time. It is now one of the first improvements to be undertaken.

The double tracking of the road between this city and Ogden will be another improvement which is in contemplation and the work will not be delayed long after the cut is under way. Some enormous bills have to be removed in the vicinity of Kayville and it is this work which engaged the attention of the official during his visit to Ogden.

RATES TO ADJUST.

General Passenger Agents Will Hold
Meeting in Portland.

A meeting of the transcontinental passenger agents will be held at Portland, Ore., on the 21st of this month. All the passenger agents west of Chicago will be represented and it is expected that about fifty will be at the meeting. D. E. Burley, general passenger agent of the Short Line, expects to be present.

It is not known whether there are any questions of special importance to the public to come up at this time. The discussions will be confined largely to the matters which have to be reviewed at regular intervals. There are rate questions to be adjusted and other minor difficulties to come up, which can best be regulated at a meeting of this kind when all the roads interested are represented.

ROCK ISLAND PLAN FAILS.

Price and Not Securities Company the
Alleged Cause.

New York, April 14.—A leading interest in the Rock Island company announced today that the proposed purchase of the St. Louis & San Francisco road had been abandoned for the present. Negotiations may be resumed later.

This same authority declares that the failure of the plan to purchase the road with the recent decision in the Northern Securities case. It was simply a question of the failure of the plan to come to terms. Gossip in Wall street has it that those in control of the road asked more than the other side was fit to give. Officials of the "Frisco" in this city decline to discuss the matter.

Gilbert Goes Up.

Spokane, Wash., April 14.—Advices just received here announce the promotion of Assistant General Superintendent F. W. Gilbert of the Northern Pacific railway to be general superintendent of the railway, succeeding M. C. Kimberly. Mr. Gilbert has been in the railway service about twenty years, having been stationed at Spokane as superintendent of the Idaho division for many years.

Railroad Notes.

Charles F. Warren of the Santa Fe is in Denver.

Two more new locomotives were received by the Oregon Short Line yesterday.

H. S. Rowe, general agent for the Milwaukee at Portland, was in the city yesterday.

Union Pacific train No. 5 had to put on an extra tourist car at Omaha yesterday, owing to the rush of travel to Oregon.

General Manager Scholtes of the Colorado Midland has granted the trainmen an advance in wages of approximately 12 per cent.

ARTICLES OF INCORPORATION.

The articles of incorporation of the American Mercantile & Repeating company were yesterday filed with County Clerk John James by Charles E. Stratton of Denver, Colo., W. B. Putnam, Cleson S. Kinney, Emil Storer and W. Young of Salt Lake. The company will do a general mercantile agency and collection business on a capital stock of \$1,000. Charles E. Stratton is president; Cleson S. Kinney, vice president, and W. B. Putnam, secretary and treasurer.

BREAKFAST

DINNER

SUPPER

"TREE TEA."

PRIDE OF JAPAN

CHOICEST

JAPANESE TEA

IMPORTED BY

M. J. JOHNSON & CO.

SAN FRANCISCO

Picture Frames

You want your picture framed right, and we know how to do it. Select from 200 styles of moldings to meet from. Make to match.

The Johnson Co., 54 W. Temple, Salt Lake City.

You see Johnson all over the West.

COLDS

My COLD CURE relieves the head,
nose, throat and lungs almost immediately.

A 25-cent vial will break up any cold and prevent Grip, Bronchitis and Pneumonia.

MUNYON'S DYSPEPSIA CURE is a
certain remedy for all forms of indigestion and stomach trouble.MUNYON'S KIDNEY CURE restores
the natural functions of the kidneys even when those organs are seriously involved.

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